

REMARKS (Supplemental)

Claims 1 - 4 and 7 - 10 are subject to examination.

With regard to the rejection of prior claims 1, 3 and 4 under 35 C.F.R. § 103(a) as unpatentable over Mathison in view of Warmerdam and Tash (356), Applicant adopts and incorporates its reply to the rejection of the claims under 35 C.F.R. § 103(a) as unpatentable over Tash (356) in view of Warmerdam.

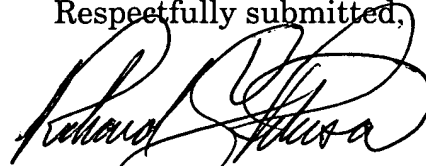
Although Applicant does not agree that it would have been obvious to one skilled in the art to modify the end caps in Mathison to be provided with a swaged band to hold the expandable body to the end cap as suggested by Warmerdam, it is believed this position is moot in view of Applicant's amendment and previous remarks. As noted, the crux of Applicant's invention is not in the particular manner that the end caps are coupled to the plug body, but rather, the improvement lies in the surface configuration. As noted, Mathison discloses circumferential ribs (see Fig. 10) called "outer circumferential sealing ribs" (4:63-64). See Remarks, page 1, § 5. Applicant does not equate the reinforcing ribs of Tash (356) with the textured bands of Applicant. See Remarks, page 2, § 1, pages 3 and 4. Nor are the elements equivalent since the ribs of Tash (356) facilitate insertion while the circumferential textured bands of Applicant improve sealing and gripping.

There must be some suggestion in the references to make the combination of elements or features. A general motivation gleaned from hindsight is not proper. After all, necessity is the mother of invention and an invention must have utility to be patentable. Where attributes of a new feature are contrary to what is achieved by the prior art, then such a combination is not obvious. The

circumferential textured bands that alternate with the raised ribs on the surface of Applicant's claimed device increase frictional contact inherently making insertion more difficult, not easier. The reference cited thereby teach away from the claimed invention.

Applicant requests that the claims as amended be re-examined with a view to allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard Esty Peterson", written over a horizontal line.

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